

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In re:

TROVERCO, INC.,

Debtor.

Chapter 11

Case No. 17-44474

Hearing Date and Time:

July 5, 2017, 10:30 a.m.

Hearing Location:

Courtroom 7 South, Thomas F.
Eagleton U.S. Courthouse

Response Due:

July 5, 2017

**DEBTOR'S MOTION FOR ENTRY OF AN ORDER EXTENDING
THE TIME TO FILE SCHEDULES OF ASSETS AND LIABILITIES,
SCHEDULES OF EXECUTORY CONTRACTS AND UNEXPIRED
LEASES, AND STATEMENT OF FINANCIAL AFFAIRS**

Troverco, Inc., the above-captioned debtor and debtor-in-possession (the "Debtor"), by and through its proposed counsel, submits this motion (the "Motion"), pursuant to sections 105 and 521 of title 11 of the United States Code (the "Bankruptcy Code"), Rules 1007(c) and 2003(a) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), and Rule 1007-6(A) of the Local Rules of Bankruptcy Procedure for the United States Bankruptcy Court for the Eastern District of Missouri (the "Local Rules"), for entry of an order extending the time to file schedules of assets and liabilities, schedules of executory contracts and unexpired leases, and the statement of financial affairs. In support of the Motion, the Debtor respectfully states as follows:

INTRODUCTION

1. On June 29, 2017 (the "Petition Date"), the Debtor filed a voluntary petition for relief pursuant to chapter 11 of the Bankruptcy Code.

2. The Debtor continues in the operation and management of its business as a debtor-in-possession pursuant to sections 1107 and 1108 of the Bankruptcy Code.

3. No trustee, examiner or official committee has been appointed in this chapter 11 case.

4. A meeting of creditors under section 341 of the Bankruptcy Code (the “Section 341 Meeting”) has been scheduled for August 3, 2017 at 11:00 a.m. (Prevailing Central Time).

5. Simultaneously with the filing of this Motion, the Debtor filed the *Declaration of Joseph E. Trover, Jr. in Support of the Debtor’s Chapter 11 Petition and First Day Motions* (the “First Day Declaration”). A more detailed factual background of the Debtor’s business and operations, as well as the events leading to the filing of this chapter 11 case, is more fully set forth in the First Day Declaration and incorporated herein by reference.

JURISDICTION AND VENUE

6. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. Venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).

7. The statutory predicates for the relief sought herein are sections 105 and 521 of the Bankruptcy Code, Bankruptcy Rules 1007(c) and 2003(a), and Local Rule 1007-6(A).

RELIEF REQUESTED

8. By this Motion, the Debtor requests entry of an order (i) extending the fourteen (14) day period to file (a) schedules of assets and liabilities, (b) schedules of executory contracts and unexpired leases, and (c) the statement of financial affairs (collectively, the “Schedules”) the Court extend the fourteen (14) day period for an additional fourteen (14) days, through and including July 27, 2017, without prejudice to the Debtor’s right to seek further extensions.

BASIS FOR RELIEF

9. The Debtor is required to file its Schedules within fourteen (14) days after the Petition Date. *See* 11 U.S.C. § 521; Fed. R. Bankr. P. 1007(c). However, pursuant Bankruptcy Rules 9006(b) and 1007(c), the Court may extend this deadline for cause. Local Rule 1007-6(A) also provides for extending the deadline for filing Schedules.

10. There is sufficient cause for the Court to extend the deadline to file the Schedules. As set forth more fully in the First Day Declaration, the Debtor was faced with an urgent need to file this chapter 11 case. In the weeks leading up to the Petition Date, the Debtor has been focused on downsizing its business, implementing other cost saving measures and negotiating with major creditors. This restructuring process has required the Debtor's management and advisors to expend significant time and resources.

11. While the Debtor has been working diligently to compile and organize the information needed to complete the Schedules, the Debtor is not likely to be able to finalize and file the Schedules within the fourteen (14) day period. As such, the Debtor requests that the Court extend the fourteen (14) day period for an additional fourteen (14) days, through and including July 27, 2017, without prejudice to the Debtor's right to seek further extensions. As set forth above, the Section 341 Meeting has been scheduled for August 3, 2017 at 11:00 a.m. (Prevailing Central Time). The extension requested herein will require the Debtor to file the Schedules no later than five (5) business days prior to the Section 341 Meeting.

12. Courts in this jurisdiction and others have granted similar relief. *See In re Arch Coal, Inc.*, No. 16-40120 (CER) (Bankr. E.D. Mo. Jan. 13, 2016) (granting a forty-five (45) day extension); *In re Bakers Footwear Grp., Inc.*, No. 12-49658-705 (CER) (Bankr. E.D. Mo. Oct. 5, 2012) (granting a thirty (30) day extension); *In re Dry Ice, Inc.*, No. 05-49452 (BSS) (Bankr.

E.D. Mo. Jul. 11, 2005) (granting a thirty (30) day extension); *In re Alpha Natural Res., Inc.*, No. 15-33896 (KRH) (Bankr. E.D. Va. Aug. 5, 2015) (granting a forty-five (45) day extension); *In re Walter Energy, Inc.*, No. 15-02741 (TOM) (Bankr. S.D. Ala. July 15, 2015) (granting a thirty (30) day extension); *In re Patriot Coal Corp.*, No. 15-32450 (KLP) (Bankr. E.D. Va. May 14, 2015) (granting a thirty-one (31) day extension).

NOTICE

13. Notice of this Motion will be provided to (i) the Office of the United States Trustee for the Eastern District of Missouri, (ii) the Debtor's twenty (20) largest unsecured creditors, (iii) the Internal Revenue Service; and (iv) all parties that have requested notice in this chapter 11 case pursuant to Bankruptcy Rule 2002. Notice of this Motion and any order hereon will be served in accordance with Local Rule 9013-3(A)(1). The Debtor submits that, under the circumstances, no other or further notice is required.

14. No previous application for the relief sought herein has been made to this or any other Court.

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WHEREFORE, the Debtor respectfully requests entry of an order granting the relief requested herein, together with such other and further relief as the Court deems just and proper.

Dated: June 30, 2017
St. Louis, Missouri

Respectfully submitted,

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